

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

02 CV 6093 (JSR)

- against -

PLATINUM INVESTMENT CORPORATION, PLATINUM  
INVESTMENT HOLDING CORP., LEE ANTONUCCI,  
ANDREW ANTONUCCI, MARCOS MARTINEZ, JAMES  
FRACE, AND MATHEW BEAULIEU,

Defendants.

SECURITIES AND EXCHANGE COMMISSION,

**TURNOVER ORDER  
TO GARNIShee BANK  
OF AMERICA, N.A.  
RE: JAMES FRACE**

Plaintiff - Judgment Creditor,

- against -

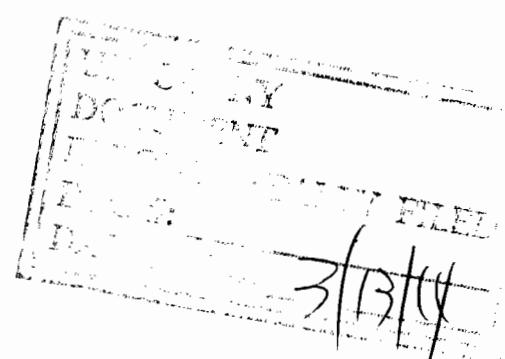
JAMES FRACE,

Defendant - Judgment Debtor,

- and -

BANK OF AMERICA, N.A.,

Garnishee.



TO: BANK OF AMERICA, N.A.  
Legal Order Processing / Christiana IV  
800 Samoset Drive  
DE5-024-02-08  
Newark, DE 19713

**WHEREAS**, on July 31, 2002 the Plaintiff - Judgment Creditor Securities and Exchange Commission (the "Commission") brought the above action against the Defendants Platinum Investment Corporation, Platinum Investment Holding Corp., Lee Antonucci, Andrew

Antonucci, Marcos Martinez, James Frace, and Matthew Beaulieu (collectively the “Defendants”), who are all the parties to this action; and

**WHEREAS**, on July 31, 2002, the Court issued an Order in part freezing the assets of the Defendants; and

**WHEREAS**, the July 31, 2002 Order was served upon the Garnishee Bank of America, N.A. (“Bank of America”); and

**WHEREAS**, among the assets frozen by the July 31, 2002 Order was an account at Bank of America in the name of the Defendant - Judgment Debtor James Frace (“Frace”) containing the amount of \$2,611.63; and

**WHEREAS**, on September 25, 2006 the Commission recovered a judgment against Frace for disgorgement of \$151,093.00 and prejudgment interest of \$45,488.02, for a total of \$196,581.02, which judgment remains wholly unsatisfied; and

**WHEREAS**, the distribution of funds in this matter has concluded, and the Court has ordered that any remaining amounts be paid to the Commission and remitted by the Commission to the United States Treasury,

**NOW, THEREFORE**, upon the motion of the Commission, which motion is not objected to by Frace, it is hereby

**ORDERED**, that the Commission shall serve a copy of this Order upon the Garnishee Bank of America, N.A., by certified mail, return receipt requested, at the following address:

BANK OF AMERICA, N.A.  
Legal Order Processing / Christiana IV  
800 Samoset Drive  
DE5-024-02-08  
Newark, DE 19713.

**FURTHER ORDERED**, that Garnishee Bank of America, N.A. shall within 21 days of receipt of this Order turn over to the Commission the amount of \$2,611.63 (reference U062610992491), by sending the same in a check payable to the Commission addressed to:

Enterprise Services Center  
Accounts Receivable Branch  
HQ Bldg., Room 181, AMZ-341  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

Payment must be accompanied by a cover letter identifying the case title (“Securities and Exchange Commission v. Platinum Investment Corporation, et al.”), the civil action number (02 CV 6093), the name of this Court (“United States District Court, Southern District of New York”), and the name of the Defendant - Judgment Debtor on whose account is being made (“James Frace”), and that this payment is being made on account of the Final Judgment entered against Frace. Garnishee Bank of America, N.A. shall further, at the time it makes such payment, transmit a copy of its payment and cover letter to:

John J. Graubard  
Senior Attorney  
Securities and Exchange Commission  
New York Regional Office  
200 Vesey Street, Room 400  
New York, NY 10281-1022.

Such information may also be provided by e-mail to [graubardj@sec.gov](mailto:graubardj@sec.gov).

**FURTHER ORDERED**, that by making such payment, Garnishee Bank of America, N.A. shall be forever released and discharged from any liability with respect to such funds to, or to any person or entity claiming a right in and to such funds derived from Frace, and from any liability with respect to such funds as to the Commission.

**FURTHER ORDERED**, that the funds paid by the Garnishee Bank of America, N.A. shall be applied by the Commission in partial satisfaction of the amounts owed by Frace pursuant to the judgment entered herein.

**FURTHER ORDERED**, that the Commission shall serve a copy of this Order and a copy of all documents received from the Garnishee Bank of America, N.A. upon Frace by first class mail within seven days of receipt of the same.

Dated:           New York, New York

3/13/, 2014

  
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UNITED STATES DISTRICT JUDGE